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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,937	01/28/2002	John G. Seay	SEAY-0001	2731

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EXAMINER

SWERDLOW, DANIEL

ART UNIT PAPER NUMBER

2646

DATE MAILED: 11/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/055,937

Applicant(s)

SEAY, JOHN G.

Examiner

Daniel Swerdlow

Art Unit

2646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. Examiner notes for the record that the specification as filed begins with the page numbered "3". While it does not appear that any material is missing, examiner suggests applicant ensure that all intended material is present.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 9 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 9 recites the limitation "the second memory" in line 3. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 19 recites the limitation "the second memory" spanning lines 5 and 6. There is insufficient antecedent basis for this limitation in the claim.
6. Examiner treats the claims on the merits below based on the interpretation that the recitation is intended as --a second memory--.

### *Claim Rejections - 35 USC § 102*

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 through 7 and 11 through 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Wulforst et al. (US Patent 6,272,212).
9. Regarding Claim 1, Wulforst discloses a telephone intercept device (Fig. 1, reference 100) that corresponds to the digital communications translator claimed and comprises: a telecommunications equipment connector (Fig. 2A, reference JP3; column 4, lines 5-13) that corresponds to the first telephone line interface claimed and receives communications signals from a home alarm system (Fig. 1, reference 13) that corresponds to the host system claimed via a wired connection (i.e., a telephone line); a telephone company network connector (Fig. 2A, reference JP1; column 4, lines 25-35) that corresponds to the second telephone line interface claimed and transmits translated communications signals to a telephone network that corresponds to the receiver system claimed over a wired connection that corresponds to the telephone line claimed; and a decoder, microprocessor and memory arrangement (Fig. 2B, reference U1, U2, U3; column 5, lines 6-64) that corresponds to the translator claimed and receives telephone numbers that correspond to the communications signals claimed from the home alarm system (Fig. 1, reference 13) that corresponds to the host system claimed and translates them into telephone numbers that correspond to the translated communications signals claimed to the telephone network that corresponds to the receiver system claimed (column 6, lines 19-22).

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10. Regarding Claim 2, Wulforst further discloses the communications signals being DTMF digits (column 5, lines 6-10).

11. Regarding Claim 3, Wulforst further discloses the DTMF signals comprising an old alarm company telephone number (i.e., a telephone number programmed into the host system) and the translated signals being a new alarm company telephone number (i.e., a telephone number programmed into the translator) (column 5, line 53).

12. Regarding Claim 4, Wulforst further discloses the communications signals being digital data signal (column 5, lines 10-12).

13. Regarding Claim 5, Wulforst further discloses the digital data signals comprising an old alarm company telephone number (i.e., alarm system codes) and the translated signals being a new alarm company telephone number (i.e., corresponding alarm system codes programmed into the translator) (column 5, line 53).

14. Regarding Claim 6, Wulforst further discloses the translated signals being an account number (column 6, lines 61-64).

15. Regarding Claim 7, Wulforst further discloses a memory (Fig. 2B, reference U3; column 5, lines 22-62) that corresponds to the first memory claimed and stores a function table that corresponds to the look-up table claimed.

16. Claims 11 through 17 are essentially similar to Claims 1 through 7, respectively, and are rejected on the same grounds.

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17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 8, 9, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wulforst in view of Robinson (US Patent 6,408,067).

19. Regarding Claim 8, as shown above apropos of Claim 7, Wulforst anticipates all elements of that claim. However, Wulforst is silent as to the source of the information in the memory. Robinson discloses a telephone number substitution device in which a database memory that corresponds to the first memory claimed is coupled to a data disk that corresponds to the second memory claimed and stores access numbers (i.e., translation data) for a plurality of service providers (i.e., host types) (column 7, lines 37-44). Robinson further discloses that such an arrangement provides convenient updating of the data in the operational memory (column 7, lines 44-46). It would have been obvious to one skilled in the art at the time of the invention to apply the second memory as taught by Robinson to the telephone interrupt device taught by Wulforst for the purpose of realizing the aforesaid advantage.

20. Regarding Claim 9, Robinson further discloses detecting an optimal service provider (i.e., host) and loading data for that provider (column 7, lines 23-28).

21. Claims 18 and 19 are essentially similar to Claims 8 and 9, respectively, and are rejected on the same grounds.

22. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wulforst in view of Schön et al. (WO 00/63562).

23. US Patent 6,758,096 is used as an English translation of the Schön reference.

24. Regarding Claim 10, Wulforst further discloses: a modem that corresponds to the second modem claimed to transmit information over the telephone network (i.e., comprised in the second telephone line interface for transmitting to the receiver) (column 6, lines 64-68); a microprocessor (Fig. 2B, reference U2; column 5, lines 63-64) and a memory (Fig. 2B, reference U3; column 5, lines 22-62) that corresponds to the at least one memory claimed, wherein the microprocessor receives an interrupt (i.e., communication) signal from the non-telephone based device such a gas tank pressure indication and outputs a data signal related to the interrupt signal (i.e., looks up a translated communication signal in the memory using an address generated from the communication signal) using the modem that corresponds to the second modem claimed (column 6, lines 56-68). Therefore, Wulforst anticipates all elements except the interrupt signal being received by a modem comprised in the first telephone line interface. Schön discloses use of modems to transmit gas pressure indications over wire lines (column 3, lines 20-31). One skilled in the art would have known that such an arrangement permits the transmission of more detailed information over longer distances than signaling without modems. It would have been obvious to one skilled in the art at the time of the invention to apply modem transmission as taught by Schön to the telephone interrupt device taught by Wulforst for the purpose of realizing the aforesaid advantage.

25. Claim 20 is essentially similar to Claim 10 and is rejected on the same grounds.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Swerdlow whose telephone number is 571-272-7531. The examiner can normally be reached on Monday through Friday between 7:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Swerdlow  
Examiner  
Art Unit 2646

ds  
2 November 2005